

## **REMARKS**

This is a full and timely response to the outstanding non-final Office Action mailed August 11, 2006. Reconsideration and allowance of the application and pending claims are respectfully requested.

### **I. Claim Rejections - 35 U.S.C. § 102(e)**

Claims 1-3 and 6 have been rejected under 35 U.S.C. § 102(e) as being anticipated by *Hermann* (U.S. Patent No. 6,633,757). Applicants respectfully traverse this rejection.

#### **a. Claims 1-3 and 6**

As provided in independent claim 1, Applicants claim:

A method of discovering local devices or services comprising:

associating at least one unique identifier with at least one location, said at least one unique identifier including a first unique identifier;

associating one or more devices including a first device with said first unique identifier based upon said first unique identifier acquired by said first device at a location associated with said first unique identifier;

providing an indication of a plurality of devices and services that are associated with said first unique identifier, such that a second device associated with said first unique identifier is made aware of other devices including said first device that are available for use and are associated with said first unique identifier, **said second device acquiring said first unique identifier at said location associated with said first unique identifier, wherein said providing comprises:**

receiving a message containing at least one unique identifier;

ascertaining said one or more devices or services based upon said at least one unique identifier; and

**replying to a sender of the message with a list of available devices or services for a location corresponding to said at least one unique identifier.**

(Emphasis added).

Applicants respectfully submit that independent claim 1 is allowable for at least the reason that *Hermann* does not disclose, teach, or suggest at least "said second device acquiring said first unique identifier at said location associated with said first unique identifier, wherein said providing comprises:

replying to a sender of the message with a list of available devices or services for a location corresponding to said at least one unique identifier,” as recited and emphasized above in claim 1.

Rather, *Hermann* appears to disclose at most a system whereby “a service-consuming device knows or learns about service-providing devices within the same wireless local network. For this purpose the service-consuming device stores service information (e.g. a list of entries) identifying services of which it is aware of.” Col. 8, lines 28-34. “Accordingly, each device will broadcast from time to time service information. . . . All devices in the proximity set of the broadcasting device can receive the service information and thus, learn about these services.” Col. 9, lines 5-10. In one embodiment, beacon devices are employed so that each device in the proximity set can learn about its location by using the beacon in its vicinity. The value of the beacon is included in the service information that is broadcasted. Col. 12, lines 20-49.

As such, *Hermann* does not teach or suggest “replying to a sender of the message with a list of available devices or services for a location corresponding to said at least one unique identifier.” Rather, a device in *Hermann* identifies services for its own benefit and does not reply to a sender of a message with a list of available devices or services for a location corresponding to a unique identifier, in a manner described in claim 1.

In making the rejection of claim 4, the Office Action alleges that *Parupudi* discloses the foregoing features. In particular, the Office Action states that “[i]t would have been obvious . . . to combine the teachings of *Hermann* and *Parupudi* because *Parupudi*’s replying to the sender of the message would allow the server to respond to message that the sender looks for any services that are associated with the unique identifier of the device’s current location.” Page 8 (Emphasis added). Applicants respectfully submit that *Hermann* does not disclose a server being used to identify services or to learn about locations. Rather, this is done by individual devices.

Further, *Parupudi* describes a system that allows for services associated with a current location to be provided to a user. As such, these services do not acquire a unique identifier associated with a location, where

the unique identifier is used to associate the services with the location. Moreover, the claim states that a device acquires the unique identifier and *Parupudi* fails to describe that a device, for example, that provides a confirmation service for flight reservations (see para. 0159) acquires a unique identifier for a location associated with a unique identifier also acquired by device 1202. Rather, it seems that *Parupudi* attempts to provide content that is associated with a device's current location. Therefore, neither *Parupudi* or *Hermann* teach or suggest "said second device acquiring said first unique identifier at said location associated with said first unique identifier," as recited in claim 1.

Therefore, claim 1 is allowable over the cited art, and the rejections of claims 1 and 2-3 & 6 (which depend therefrom) should be withdrawn.

Additionally and notwithstanding the foregoing reasons for the allowability of claims 2-3 and 6, these dependent claims recite further features/steps and/or combinations of features (as is apparent by examination of the claims themselves) that are patentably distinct from the cited art of record. Hence, there are other reasons why these dependent claims are allowable.

## II. **Claim Rejections - 35 U.S.C. § 102(e)**

Claims 9-11 and 18-23 have been rejected under 35 U.S.C. § 102(e) as being anticipated by *Liming* (U.S. Patent Application Publication No. 2002/0055924). Applicants respectfully traverse this rejection.

### a. **Claims 9-11**

As provided in independent claim 9, Applicants claim:

A method of discovering local devices or services comprising:

associating multiple unique identifiers including a first unique location with multiple related locations, each related location having a unique identifier;

***receiving a report that a first client device has acquired a first unique identifier corresponding to particular location, the first client device being located at the particular location;***

***associating one or more devices including a second device with one or more of the unique identifiers based on***

*reports received from said one or more devices regarding acquisition of said one or more of the unique identifiers, the second device being accessible from the particular location that corresponds to the first unique identifier;*

*receiving a message from the first client device that contains a unique identifier of one or more of the locations including the first unique identifier;*

*ascertaining from said unique identifier any devices that are associated with a location that corresponds to said unique identifier; and*

*replying to said first client device with a list of available devices including the second device for the location, wherein said available devices on the list reported acquisition of said unique identifier.*

(Emphasis added).

Applicants respectfully submit that independent claim 9 is allowable for at least the reason that *Liming* does not disclose, teach, or suggest at least “receiving a report that a first client device has acquired a first unique identifier corresponding to particular location, the first client device being located at the particular location,” “receiving a message from the first client device that contains a unique identifier of one or more of the locations including the first unique identifier,” “associating one or more devices including a second device with one or more of the unique identifiers based on reports received from said one or more devices regarding acquisition of said one or more of the unique identifiers, the second device being accessible from the particular location that corresponds to the first unique identifier,” “ascertaining from said unique identifier any devices that are associated with a location that corresponds to said unique identifier,” and “replying to said first client device with a list of available devices including the second device for the location, wherein said available devices on the list reported acquisition of said unique identifier,” as recited and emphasized above in claim 9.

Rather, *Liming* appears to disclose a system that attempts to provide content associated with a current location of a client device. See para. 0075. But, *Liming* appears to not disclose that other devices in the same location acquire a unique identifier and report this information so that the device may be associated with other devices in the same location. Further, *Liming* fails to

teach or suggest that a reply is sent to a client device with a list of available devices for the current location of the client device.

For example, *Liming* discloses that information on emergency services, such as local police stations, hospitals, and fire departments, may be provided, for a current location, but this does not mean that devices from the police stations, hospitals, and fire departments are available to be used and are located in the same location as a client device. See para. 0123. Therefore, *Liming* fails to teach or suggest at least “receiving a report that a first client device has acquired a first unique identifier corresponding to particular location, the first client device being located at the particular location; associating one or more devices including a second device with one or more of the unique identifiers based on reports received from said one or more devices regarding acquisition of said one or more of the unique identifiers, the second device being accessible from the particular location that corresponds to the first unique identifier; receiving a message from the first client device that contains a unique identifier of one or more of the locations including the first unique identifier; ascertaining from said unique identifier any devices that are associated with a location that corresponds to said unique identifier; and replying to said first client device with a list of available devices including the second device for the location, wherein said available devices on the list reported acquisition of said unique identifier,” as recited in claim 9.

As a result, *Liming* fails to disclose all of the features of claim 9. Accordingly, claim 9 and claims 10-11 (which depend from claim 9) are allowable over *Liming*.

b. **Claims 18-23**

As provided in independent claim 18, Applicants claim:

A method of discovering local devices comprising:  
***acquiring a unique identifier that is associated with a location for which corresponding devices including a first device and a second device are desired to be discovered;***  
***sending a message from the first device containing the unique identifier over a network and to an entity from which the devices can be discovered; and***

***receiving a reply from the entity, the reply containing a list of available devices for the location including the second device, wherein the available devices acquired the unique identifier at the location and reported acquisition of the unique identifier to the entity.***

(Emphasis added).

Applicants respectfully submit that independent claim 18 is allowable for at least the reason that *Liming* does not disclose, teach, or suggest at least “acquiring a unique identifier that is associated with a location for which corresponding devices including a first device and a second device are desired to be discovered,” “sending a message from the first device containing the unique identifier over a network and to an entity from which the devices can be discovered,” and “receiving a reply from the entity, the reply containing a list of available devices for the location including the second device, wherein the available devices acquired the unique identifier at the location and reported acquisition of the unique identifier to the entity,” as recited and emphasized above in claim 18.

Rather, *Liming* appears to disclose a system that attempts to provide content associated with a current location of a client device. See para. 0075. But, *Liming* appears to not disclose that other devices in the same location acquire a unique identifier and report this information so that the device may be associated with other devices in the same location. Further, *Liming* fails to teach or suggest that a reply is sent to a client device with a list of available devices for the current location of the client device.

For example, *Liming* discloses that information on emergency services, such as local police stations, hospitals, and fire departments, may be provided, for a current location, but this does not mean that devices from the police stations, hospitals, and fire departments are available to be used and are located in the same location as a client device. See para. 0123. Therefore, *Liming* fails to teach or suggest at least “acquiring a unique identifier that is associated with a location for which corresponding devices including a first device and a second device are desired to be discovered,” “sending a message from the first device containing the unique identifier over a network and to an entity from which the devices can be discovered,” and

“receiving a reply from the entity, the reply containing a list of available devices for the location including the second device, wherein the available devices acquired the unique identifier at the location and reported acquisition of the unique identifier to the entity,” as recited in claim 18.

As a result, *Liming* fails to disclose all of the features of claim 18. Accordingly, claim 18 and claims 19-21 (which depend therefrom) are allowable over *Liming*.

Likewise, claims 22-23 are allowable for similar reasons.

### III. Claim Rejections - 35 U.S.C. § 103(a)

In the Office Action, claims 5, 7, and 8 stand rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over *Hermann* in view of *Parupudi*. It is well-established at law that, for a proper rejection of a claim under 35 U.S.C. §103 as being obvious based upon a combination of references, the cited combination of references must disclose, teach, or suggest, either implicitly or explicitly, all elements/features/steps of the claim at issue. See, e.g., *In Re Dow Chemical*, 5 U.S.P.Q.2d 1529, 1531 (Fed. Cir. 1988), and *In re Keller*, 208 U.S.P.Q.2d 871, 881 (C.C.P.A. 1981).

All of the claimed features of independent claim 1 is not taught and suggested by *Hermann*, as previously discussed. Further, the cited art of *Parupudi* fails to cure the deficiencies of the *Hermann* reference in suggesting or teaching all of the claimed features in claim 5 (which depends from claim 1). Therefore, a *prima facie* case establishing an obviousness rejection by the proposed combination of *Hermann* in view of *Parupudi* has not been made., and the rejections of claim 5 should be withdrawn.

As provided in independent claim 7, Applicants claim:

One or more computer-readable media having computer-readable instructions thereon which, when executed by one or more processors, cause the one or more processors to:

associate at least one unique identifier with at least one location, the at least one unique identifier including a first unique identifier;

***associate a plurality of devices including a first device and a second device with said first unique identifier acquired by the plurality of devices at a location associated with the first unique identifier; and***

*provide an indication of a plurality of devices including the first device and services that are associated with said first unique identifier by:*

*receiving a message containing the first unique identifier from the second device;*

*ascertaining said one or more devices currently available for use to a sender of the message based upon said first unique identifier; and*

*replying to the sender of the message with a list of available devices including the first device for a location corresponding to said first unique identifier.*

(Emphasis added).

Applicants respectfully submit that independent claim 7 is allowable for at least the reason that *Hermann* in view of *Parupudi* does not disclose, teach, or suggest at least to “associate a plurality of devices including a first device and a second device with said first unique identifier acquired by the plurality of devices at a location associated with the first unique identifier” and/or “provide an indication of a plurality of devices including the first device and services that are associated with said first unique identifier by: receiving a message containing the first unique identifier from the second device; ascertaining said one or more devices currently available for use to a sender of the message based upon said first unique identifier; and replying to the sender of the message with a list of available devices including the first device for a location corresponding to said first unique identifier,” as recited and emphasized above in claim 7.

Rather, *Hermann* appears to disclose at most a system whereby “a service-consuming device knows or learns about service-providing devices within the same wireless local network. For this purpose the service-consuming device stores service information (e.g. a list of entries) identifying services of which it is aware of.” Col. 8, lines 28-34. “Accordingly, each device will broadcast from time to time service information. . . All devices in the proximity set of the broadcasting device can receive the service information and thus, learn about these services.” Col. 9, lines 5-10. In one embodiment, beacon devices are employed so that each device in the proximity set can learn about its location by using the beacon in its vicinity.

The value of the beacon is included in the service information that is broadcasted. Col. 12, lines 20-49.

As such, *Hermann* does not teach or suggest “replying to the sender of the message with a list of available devices including the first device for a location corresponding to said first unique identifier,” in a manner described in claim 7.

The Office Action alleges that *Parupudi* discloses the foregoing features. In particular, the Office Action states that “[i]t would have been obvious . . . to combine the teachings of Hermann and Parupudi because Parupudi’s replying to the sender of the message would allow the server to respond to message that the sender looks for any services that are associated with the unique identifier of the device’s current location.” Page 8 (Emphasis added). Applicants respectfully submit that *Hermann* does not disclose a server being used to identify services or to learn about locations. Rather, this is done by individual devices.

Further, *Parupudi* describes a system that allows for services associated with a current location to be provided to a user. As such, these services do not acquire a unique identifier associated with a location, where the unique identifier is used to associate the services with the location. Moreover, the claim states that a device acquires the unique identifier and *Parupudi* fails to describe that a device, for example, that provides a confirmation service for flight reservations (see para. 0159) acquires a unique identifier for a location associated with a unique identifier also acquired by device 1202. Rather, it seems that *Parupudi* attempts to provide content that is associated with a device’s current location. Therefore, neither *Parupudi* or *Hermann* teach or suggest to “associate a plurality of devices including a first device and a second device with said first unique identifier acquired by the plurality of devices at a location associated with the first unique identifier” and/or “provide an indication of a plurality of devices including the first device and services that are associated with said first unique identifier by: receiving a message containing the first unique identifier from the second device; ascertaining said one or more devices currently available for use to a sender of the message based upon said first unique identifier; and replying to the

sender of the message with a list of available devices including the first device for a location corresponding to said first unique identifier," as recited in claim 7.

As a result, a *prima facie* case establishing an obviousness rejection by the proposed combination of *Hermann* in view of *Parapudi* has not been made. Therefore, the rejections of claims 7 and 8 (which depends therefrom) should be withdrawn.

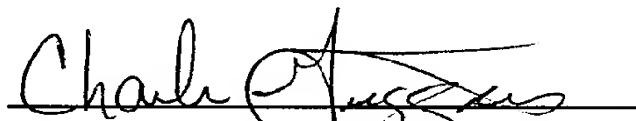
#### **IV. Cancellation of Claims**

Claims 4, 12-17, and 24-25 are canceled without prejudice, waiver, or disclaimer, and therefore, rejection(s) to the claim(s) are rendered moot. Applicants take this action merely to reduce the number of disputed issues and to facilitate early allowance and issuance of other claims in the present application. Applicants reserve the right to pursue the subject matter of these canceled claims in a continuing application, if Applicants so choose, and do not intend to dedicate any of the canceled subject matter to the public.

#### **CONCLUSION**

Applicants respectfully submit that the pending claims are in condition for allowance. Favorable reconsideration and allowance of the present application and all pending claims are hereby courteously requested. If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned attorney at (770) 933-9500.

Respectfully submitted,



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